

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JUICY COUTURE, INC.

Plaintiff,

v.

LIME BLUE, LLC, and LIME BLUE, INC.

Defendants.

Civ. No. 08-CV-3376 (NRB)

FIRST AMENDED COMPLAINT

Plaintiff Juicy Couture, Inc. (“Juicy Couture” or “plaintiff”) brings this action against defendants Lime Blue, LLC and Lime Blue, Inc. (“defendants”), and for its Complaint alleges as follows:

NATURE OF THE CASE

1. This action is for willful trademark infringement of federally registered trademarks in violation of the United States Trademark Act of 1946, as amended, 15 U.S.C. § 1051, et seq.; for the use of false designations of origin and false descriptions and representations, and unfair competition in violation of Section 43(a) of the United States Trademark Act of 1946, as amended, 15 U.S.C. § 1125(a); for dilution of famous trademarks in violation of the Federal Trademark Dilution Act of 2006, as amended, 15 U.S.C. § 1125(c); for unfair and deceptive trade practices in violation of New York General Business Law § 349; for injury to business reputation and dilution in violation of New York General Business Law § 360-1; and for related claims of trademark infringement and unfair competition in violation of the common law of the State of New York.

JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter of this action pursuant to 15 U.S.C. § 1121, and 28 U.S.C. §§ 1331, 1338(a) & (b), and 1367 as it involves substantial claims arising under the United States Trademark Act of 1946, as amended, 15 U.S.C. § 1051, et seq., together with related claims under New York law. This Court also has jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1) as it involves citizens of different states and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

3. Venue is proper within this judicial district under 28 U.S.C. § 1391(c).

PARTIES

4. Plaintiff Juicy Couture, Inc. is a California corporation with offices at 1440 Broadway, New York, NY 10018.

5. Upon information and belief, defendant, Lime Blue, LLC, is a Nevada limited liability company with places of business at 955 S. Virginia St., Reno, NV 89502 and 8939 S Sepulveda Blvd, Suite 110-1023, Los Angeles, CA. Lime Blue, LLC is doing business as JuicyCampus.com through its website www.juicycampus.com.

6. Upon information and belief, defendant Lime Blue, Inc. is a Delaware corporation with a place of business at 8939 S Sepulveda Blvd, Suite 110-1023, Los Angeles, CA and its registered agent is Corporation Service Company located at 2711 Centerville Road, Suite 400, Wilmington, De. Lime Blue, Inc. is the successor in interest to Lime Blue, LLC and is doing business as JuicyCampus.com through its website www.juicycampus.com.

7. Upon information and belief, the domain name “juicycampus.com” is registered by Domains by Proxy, Inc., DomainsByProxy.com, located at 15111 N. Hayden Rd., Ste 160, PMB 353, Scottsdale, Arizona 85260, which appears to conceal the identity of the true registrant

of the domain name. Upon information and belief, defendants are the true registrants of the domain name.

PLAINTIFF'S JUICY TRADEMARK

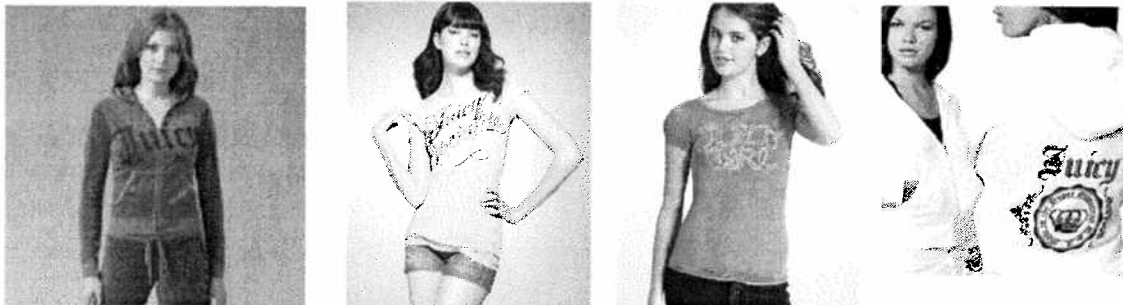
8. The company which has been known as Juicy Couture, Inc. since 1997 was founded in 1989 by designers Pamela Skaist Levy and Gela Nash Taylor. It began as a clothing brand made out of their homes and today, Juicy Couture's clothing and other products are sold in over 30,000 retail establishments worldwide. In 1996, Juicy Couture adopted the JUICY trademark to brand its apparel line and shortly thereafter began using the JUICY trademark on jeans, shorts, shirts, skirts, tops and jackets, as well as other goods. The JUICY brand was extremely well received and became a fashion sensation.

9. For over ten years, and since long prior to the acts of defendants complained of herein, Juicy Couture, by itself, and/or through its affiliates or related companies, (collectively, "Juicy Couture") has been using the distinctive JUICY trademark in connection with apparel and related products and services. Juicy Couture owns all right, title and interest in and to the numerous U.S. trademarks for apparel in Class 25 listed below. In addition, Juicy Couture owns Reg. No. 3,146,100 for the mark JUICY COUTURE covering retail and on-line retail store services in Class 35. These trademark registrations are valid, subsisting and in full force, and Juicy Couture is the exclusive owner thereof.

JUICY	Reg. No.2285232	Class 25
JUICY COUTURE	Reg. No. 2348674	Class 25
JUICY COUTURE	Reg. No. 2978046	Classes 14, 25
JUICY COUTURE	Reg. No. 3146100	Classes 9, 16, 18, 35
EXTRA JUICY	Reg. No. 3149134	Class 25

JUICY GIRL	Reg. No. 3265587	Class 25
JUICY GIRL	Reg. No. 3329779	Class 25
JUICY BABY	Reg. No. 3233785	Class 25
JUICY COUTURE BABY	Reg. No. 2995498	Class 25
CHOOSE JUICY	Reg. No. 2882280	Class 25
JUICY JEANS	Reg. No. 2387924	Class 25

10. In addition, Juicy Couture has rights in numerous common law trademarks that incorporate the JUICY mark, including but not limited to, Juicy Girls Club, It's a Juicy World, Viva La Juicy, Juicy Angel, Wear Juicy, Be Juicy, Peace, Love and Juicy, Sugar and Spice and Everything Juicy, Choose Juicy, Juicy Pop Princess, The Joy of Juicy, and Have a Juicy Day. Examples of Juicy Couture's uses of its JUICY trademarks are shown below. Additional examples are attached as Exhibit 1.



11. Juicy Couture has been marketing, selling and distributing its goods and services in connection with the JUICY trademark since at least as early as 1996. The JUICY trademark has been used in connection with a full-line of men's, women's, children's and infants' apparel, maternity and outerwear, dog apparel and accessories, fashion accessories, handbags and leather

goods, cosmetics and fragrances, swimwear, eyewear, footwear and watches and the retail and online sales of these items in the U.S., Europe, Canada and Asia.

12. In 2007, Juicy Couture spent over \$30 million promoting its products and expects to spend over \$55 million in 2008. Over the years, Juicy Couture has spent hundreds of millions of dollars advertising and promoting its products and services bearing the JUICY trademark in interstate commerce throughout the United States, including in this District. Sales throughout the country, including in this District of its products and services bearing the JUICY trademark exceeded \$420 million in 2007.

13. Juicy Couture's products bearing the JUICY trademark have been sold throughout the United States at over 840 specialty stores and over 280 department stores including Barney's, Bloomingdale's, Bergdorf Goodman, Neiman Marcus, and Saks, Henri Bendel, Tracey Ross, Lisa Kline, Fred Segal and Scoop. Juicy Couture's JUICY brand products are also sold online at www.juicycouture.com. As part of its customer service features, the website hosts an online chat.

14. Juicy Couture's JUICY brand products have also been favored and promoted by Hollywood celebrities, such as, Jessica Biel, Eva Mendez, Gerard Butler, Katherine Heigl, Ashton Kutcher, Madonna, Gwyneth Paltrow, Brad Pitt, Amber Valletta, Eric Bana, Kate Moss, Ben Affleck, Amanda Peet, Terrence Howard, Liv Tyler, Sarah Jessica Parker, Adrien Brody, Jennifer Garner, Cameron Diaz, Zack Effron, Jessica Alba, Miley Cyrus, Colin Farrell, Jennifer Lopez, Orlando Bloom, Kylie Minogue, Halle Berry, Demi Moore, Reese Witherspoon, Drew Barrymore, Renee Zellweger and Courteney Cox Arquette. Juicy Couture and its JUICY brand products have appeared in countless high-profile publications, both regionally and nationally. National publications include: Allure, Elle, Glamour, Harper's Bazaar, InStyle, Lucky, Marie

Claire, Vogue and W. Regional publications include: NY Times, NY Post, NY Daily News, NY Magazine, LA Times, LA Magazine, Angeleno, C Magazine, Vegas, Chicago Sun Tribune, Ocean Drive, and the Boston Globe. Juicy Couture's JUICY products have also benefited from publicity deriving from characters wearing JUICY products in popular television programs and motion pictures, such as *Will & Grace*, *The Gilmore Girls*, *The OC*, *Friends*, *Sex and the City*, *Six Feet Under*, *Charlie's Angels Full Throttle*, *Kill Bill Volume 2*, *Legally Blonde 2 Red White & Blonde*, and *Anger Management*.

15. Juicy Couture has also manufactured, promoted, offered for sale and sold products bearing the JUICY trademarks using a collegiate theme. This theme has been a significant part of Juicy Couture's marketing strategy. The JUICY trademark has been used in collegiate-style lettering, has appeared on apparel and products designed for college students and has been marketed to college students. In fact, Juicy Couture has used the trademark JUICY in combination with CAMPUS and UNIVERSITY in connection with its products and services. For example, Juicy Couture sells socks bearing its JUICY trademark along with the words "Delinquents Glamour Campus." Examples of Juicy Couture's use of the JUICY trademark in connection with the collegiate theme are shown below and attached as Exhibit 2.



16. By virtue of the extensive sales, advertising and promotion of products and services bearing the JUICY trademark, and the high quality of the goods themselves, such products and services have become widely known and recognized by the JUICY trademark. The JUICY trademark has become famous and universally recognized and relied upon by the public and trade as identifying Juicy Couture as the source of the high quality goods and services in connection with which these marks are used, and distinguishing those goods and services from those of others. As such, the JUICY trademarks have become strong, distinctive, and famous entitled to a broad scope of protection, and are among Juicy Couture's most important business assets.

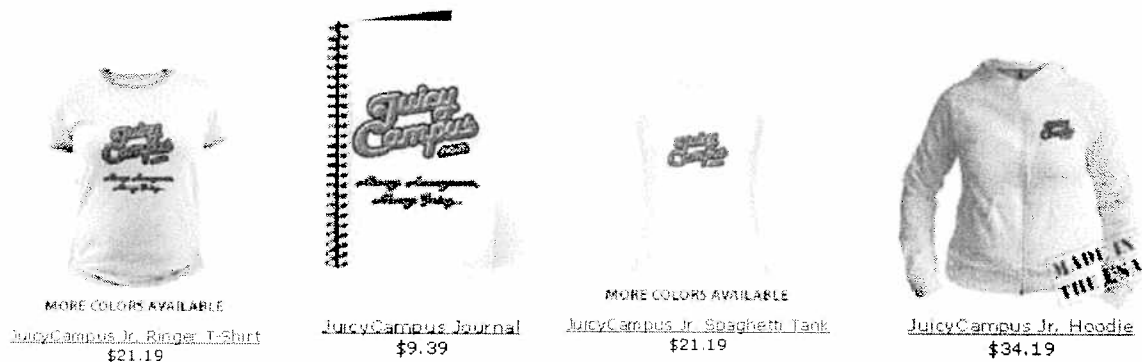
17. Indeed, in recognition of Juicy Couture's exclusive rights to its JUICY trademarks, the United States Patent and Trademark Office has granted Juicy Couture federal trademark registrations for the marks as noted above. Copies of these registration records are attached as Exhibit 3.

DEFENDANTS' UNLAWFUL USE OF JUICY TRADEMARKS

18. Upon information and belief, defendants own and have operated a website called Juicy Campus at www.juicycampus.com since at least as early as August 2007 that solicits and publishes salacious comments by members of the public and in particular, college students. Upon information and belief, defendants have also been operating Juicy Newsletter, Juicy Blog at <http://juicycampus.blogspot.com> and Juicy Store at www.cafepress.com/juicycampus. On information and belief, defendants also offer apparel and other paraphernalia bearing the words "Juicy Campus" to the public on the Internet, through the mail and directly to individuals on campus.

19. Upon information and belief, defendants have received media attention recently regarding potentially offensive, defamatory and threatening content on its website. Defendants' website is also being investigated by the New Jersey and Connecticut Attorney Generals. Examples of current media articles regarding Juicy Campus are attached as Exhibit 4.

20. Upon information and belief, defendants have been and are now offering for sale and selling in this judicial district and elsewhere apparel and other products bearing the infringing JUICY CAMPUS name ("infringing products"). See below for examples. As at March 18, 2008, defendants offered these infringing products for sale through a link on its website entitled "Juicy Store" as shown in Exhibit 5.



21. Upon information and belief, defendants began to operate their website, offer for sale and sell the infringing products long after Juicy Couture's JUICY trademark became well-known and famous to the trade, to the public and to defendants.

22. Upon learning of defendants' website, offering for sale and selling the infringing products, Juicy Couture's attorney wrote to defendants and informed defendants of plaintiff's rights in the JUICY trademark and warned defendants that their use of JUICY infringes plaintiff's rights. Plaintiff's attorney further requested that defendants cease all use of JUICY. Defendants have refused to comply with plaintiff's requests. Plaintiff also wrote to CafePress, the website host of the "Juicy Store" and advised of its rights in the JUICY trademark and

requested that CafePress cease to host the sale of defendants' infringing products. CafePress informed plaintiff that it would remove the website which it did.

23. Defendants' use of the JUICY trademark is likely to and has caused confusion, mistake and deceived and mislead the public to believe that defendants or defendants' products are authorized, endorsed or sponsored by plaintiff or are affiliated in some way with plaintiff or plaintiff's products or services. Examples of actual confusion are attached as Exhibit 6.

24. Upon information and belief, defendants' use of the JUICY trademark was deliberate and intentional and designed to create confusion and mistake and to deceive and to mislead the public to believe that defendants' goods and services are genuine JUICY goods and services or are authorized, endorsed or sponsored by Juicy Couture or that defendants or their products and services are affiliated in some way with Juicy Couture or Juicy Couture's products or services.

25. Defendants' use of the JUICY trademark constitutes the use of false designations of origin and false and misleading descriptions and representations as to the source of the products and services sold, distributed and offered for sale by defendants and is likely to cause confusion among consumers and to cause them to mistakenly believe that defendants' products and services are genuine JUICY products and services or are authorized, endorsed or sponsored by Juicy Couture or that defendants or their products and services are affiliated in some way with Juicy Couture or Juicy Couture's products or services.

26. Plaintiff believes that it is likely to be damaged by defendants' infringing use of Juicy Couture's JUICY trademark, false designations, descriptions and representations in that purchasers are likely to participate in defendants' services or buy defendants' products in the mistaken belief that they are genuine JUICY products and services or that defendants or their

products and services are authorized, endorsed or sponsored by Juicy Couture or are affiliated in some way with Juicy Couture or Juicy Couture's products or services.

27. Defendants' use of the JUICY trademark is likely to dilute the distinctive quality of Juicy Couture's famous JUICY trademark.

28. Defendants' use of the JUICY trademark is likely to dilute by tarnishing and harming the reputation of Juicy Couture and its famous JUICY trademark.

29. Upon information and belief, defendants' adoption of the JUICY trademark was deliberate and intentional and designed to dilute the distinctive quality of Juicy Couture's famous JUICY trademark and to trade on the goodwill and reputation associated therewith.

30. Defendants' use of the JUICY trademark is without Juicy Couture's license, authorization or permission.

31. The acts and conduct of defendants complained of herein have damaged plaintiff and, unless restrained, will impair, if not destroy, the value of Juicy Couture's JUICY and related trademarks and the goodwill associated therewith.

COUNT ONE

INFRINGEMENT OF FEDERALLY REGISTERED TRADEMARKS UNDER SECTION 32 OF THE LANHAM ACT

32. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 30 above, as though fully set forth herein.

33. The aforesaid acts of defendants constitute willful infringement of plaintiff's federally registered trademarks under Section 32(1) and 34(d) of the Lanham Act, 15 U.S.C. §§ 1114(1) and 1116(d).

34. The aforesaid acts of defendants have caused and, unless restrained by this Court, will continue to cause great and irreparable injury to plaintiff.

35. Plaintiff has no adequate remedy at law.

COUNT TWO

**FALSE DESIGNATIONS OF ORIGIN AND FALSE
DESCRIPTIONS AND REPRESENTATIONS, AND FEDERAL UNFAIR
COMPETITION UNDER SECTION 43(a) OF THE LANHAM ACT**

36. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 34 above, as though fully set forth herein.

37. The aforesaid acts of defendants constitute the use of the false designations of origin, false descriptions and representations, and federal unfair competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

38. The aforesaid acts of defendants have caused and, unless restrained by this Court, will continue to cause great and irreparable injury to plaintiff.

39. Plaintiff has no adequate remedy at law.

COUNT THREE

TRADEMARK DILUTION UNDER SECTION 43(c) OF THE LANHAM ACT

40. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 38 above, as though fully set forth herein.

41. The aforesaid acts of defendants constitute willful dilution in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

42. The aforesaid acts of defendants have caused and, unless restrained by this Court, will continue to cause great and irreparable injury to plaintiff.

43. Plaintiff has no adequate remedy at law.

COUNT FOUR

UNFAIR AND DECEPTIVE TRADE PRACTICES

44. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 42 above, as though fully set forth herein.

45. By reason of its deliberate and willful acts as set forth herein, defendants have engaged in deceptive practices in the conduct of its business in violation of New York General Business Law § 349.

46. The aforesaid acts of defendants have caused and, unless restrained by this Court, will continue to cause great and irreparable injury to plaintiff.

47. Plaintiff has no adequate remedy at law.

COUNT FIVE

**INJURY TO BUSINESS REPUTATION AND
DILUTION UNDER NEW YORK GENERAL BUSINESS LAW § 360-1**

48. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 46 above, as though fully set forth herein.

49. Defendants' aforesaid acts are likely to injure and have injured the business reputation of plaintiff and are likely to dilute and have diluted the distinctive quality of plaintiff's JUICY trademark in violation of New York General Business Law § 360-1.

50. The aforesaid acts of defendants have caused and, unless restrained by this Court, will continue to cause great and irreparable injury to plaintiff.

51. Plaintiff has no adequate remedy at law.

COUNT SIX

COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

52. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 50 above, as though fully set forth herein.

53. The aforesaid acts of defendants constitute trademark infringement and unfair competition under the common law in the state of New York.

54. The aforesaid acts of defendants have caused and, unless restrained by this Court, will continue to cause great and irreparable injury to plaintiff.

55. Plaintiff has no adequate remedy at law.

WHEREFORE, plaintiff prays for judgment against defendants as follows:

A. For temporary, preliminary and permanent injunctive relief enjoining defendants, their successors and assigns, suppliers, officers, agents, servants, employees, and attorneys, and all those persons in active concert, participation or privity with them, or any of them:

1. From using in connection with the manufacture, distribution, advertising, offering for sale and sale of any apparel or any other products or services the JUICY, or any other trademark, name, designation, design or trade dress which, either alone or in combination, is likely to cause confusion, mistake or deception as to source, origin, sponsorship, endorsement, affiliation or the genuine nature of the products or services;

2. From using any false designation of origin or false description or false representation, and from engaging in any act or series of acts which, either alone or in combination, constitute deceptive or unfair methods of competition by defendants with Juicy Couture, or from otherwise interfering with or injuring Juicy Couture's business reputation or diluting the distinctive quality of Juicy Couture's trademarks or the goodwill associated therewith; and

3. From doing any other act or thing calculated or likely to cause confusion or mistake in the minds of the trade or the public or to deceive purchasers into mistakenly believing that defendants' goods or services are Juicy Couture's goods or services, or come from or are affiliated with Juicy Couture or are sponsored or approved by Juicy Couture, or are from the same source as goods of Juicy Couture, or to otherwise misrepresent the nature, characteristics, qualities or origin of the goods or the commercial activities of defendants.

B. That defendants be required to deliver up to plaintiff for destruction all apparel and other products bearing the JUICY trademark, or which infringe the JUICY trademark, and all drawings, advertisements, pamphlets, brochures, catalogs, labels, tags, signs, prints, packages, wrappers and containers in defendants' possession, custody or control which use or bear the JUICY trademark, or which infringe the JUICY trademark.

C. That defendants be enjoined and restrained, preliminarily and permanently, from destroying, moving, hiding or otherwise making inaccessible any of the items referred to in paragraph B above.

D. That defendants be required to supply plaintiff with complete records concerning any and all transactions related to the manufacture, distribution, sale, display, acquisition, or receipt of any products which bear the JUICY trademark, or which infringe the JUICY trademark.

E. That defendants be required to supply plaintiff with a complete list of all persons with their addresses and any other identification of said persons that is within the possession, custody or control of defendants, from whom defendants purchased or to whom defendants sold any apparel or other products bearing the JUICY trademark, or which infringe the JUICY

trademark, or who participated in the manufacture, distribution, offering for sale or sale of said infringing products.

F. That defendants be required to file with this Court and serve upon plaintiff within thirty (30) days after service of this Court's injunction issued in this action a written report signed under oath by defendants setting forth in detail the manner in which defendant has complied with such injunction.

G. That an order of seizure issue, pursuant to Section 34(d) of the Lanham Act, 15 U.S.C. § 1116(d), authorizing plaintiff or plaintiff's representative to seize: (1) all apparel or other products bearing the JUICY trademark, (2) all drawings, advertisements, pamphlets, brochures, catalogs, labels, tags, signs, prints, packages, wrappers and containers in defendants' possession, custody or control which use or bear the JUICY trademark, and (3) complete records concerning any and all transactions related to the manufacture, distribution, sale, display, acquisition, or receipt of any of the products bearing the JUICY trademark.

H. That plaintiff be awarded its actual and consequential damages and defendants' profits proximately resulting from defendants' violations.

I. That plaintiff be awarded three times its actual and consequential damages sustained as a result of defendants' violations, and that plaintiff be awarded three times the defendants' profits arising from its aforesaid acts.

J. That plaintiff be awarded exemplary and punitive damages against defendants under state law.

K. That plaintiff be awarded its attorneys' fees and all costs incurred in the representation of plaintiff in this matter.

L. That the Court grant plaintiff such other and further relief, both general and special, at law and in equity, to which plaintiff may show itself to be entitled, as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff respectfully requests a trial by jury of all issues properly triable by jury in this action.

Date: May 27, 2008

Respectfully submitted,

JENNER & BLOCK LLP

By: 

Susan J. Kohlmann (SK1855)

Elizabeth Valentina (EV4345)

919 Third Avenue

New York, New York 10022

(212) 891-1600

(212) 891-1699

Counsel for Plaintiff, Juicy Couture, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2008, a true and correct copy of the foregoing Plaintiff's First Amended Complaint was served on defendants' counsel of record noted below by email.

Kit Winter
DYKEMA GOSSETT PLLC
333 South Grand Avenue
Suite 2100
Los Angeles, CA 90071
kwinter@dykema.com

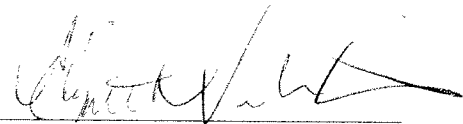

Elizabeth Valentina

EXHIBIT 1



The A

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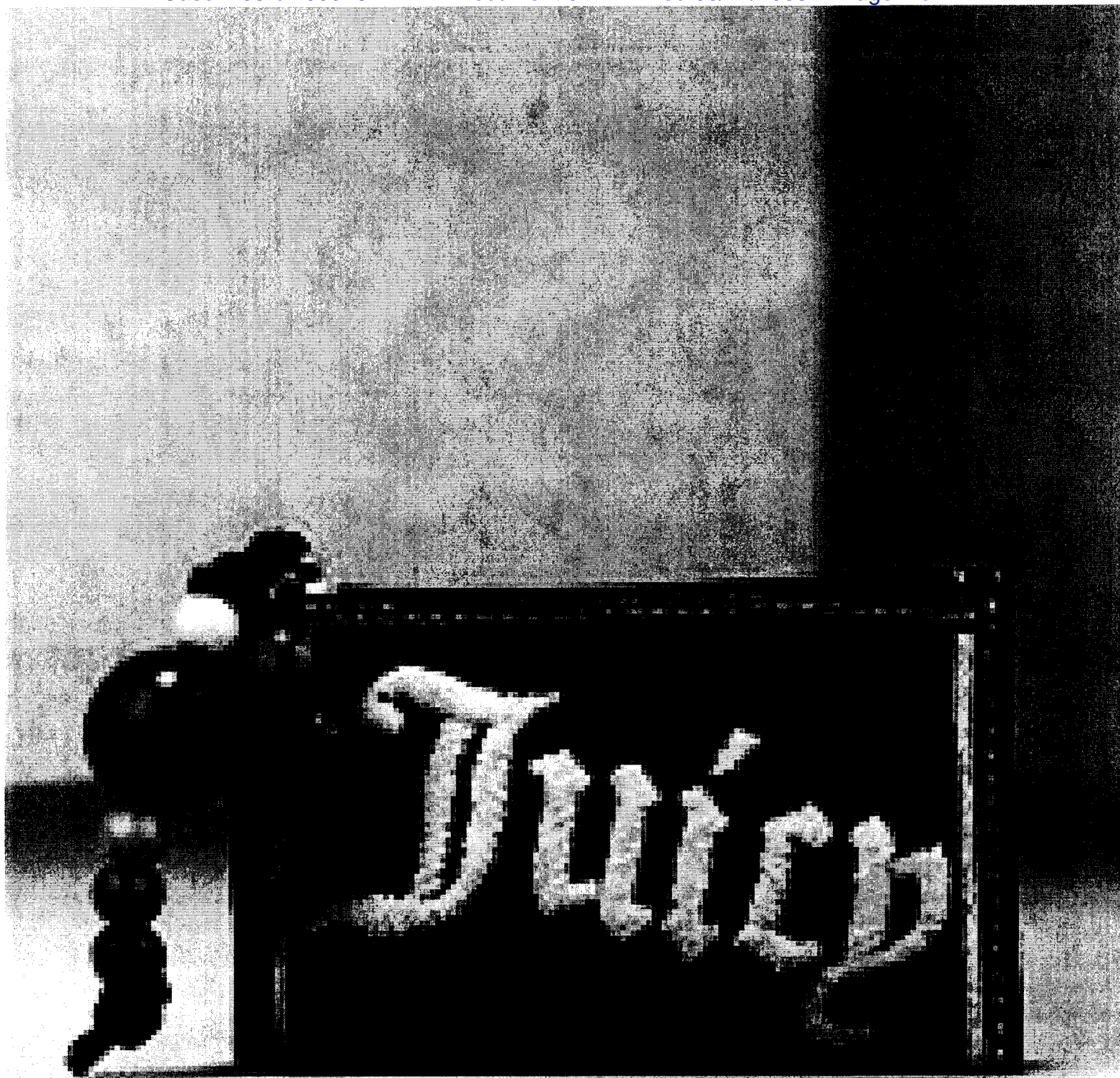
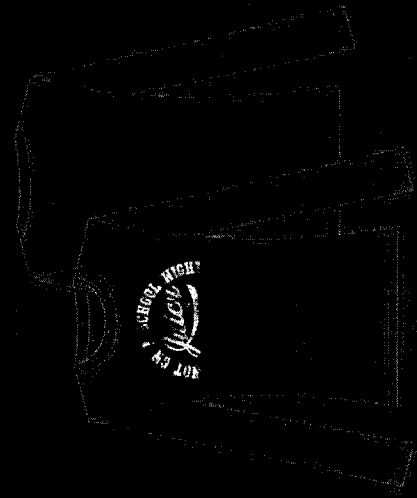


EXHIBIT 2

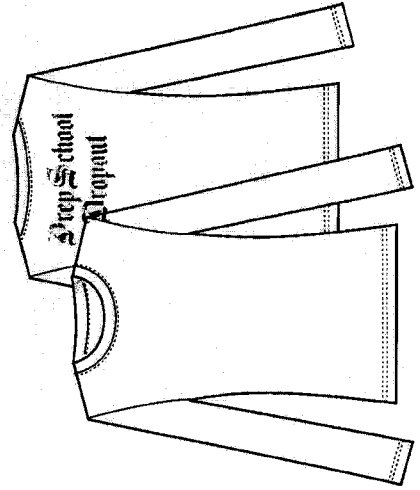
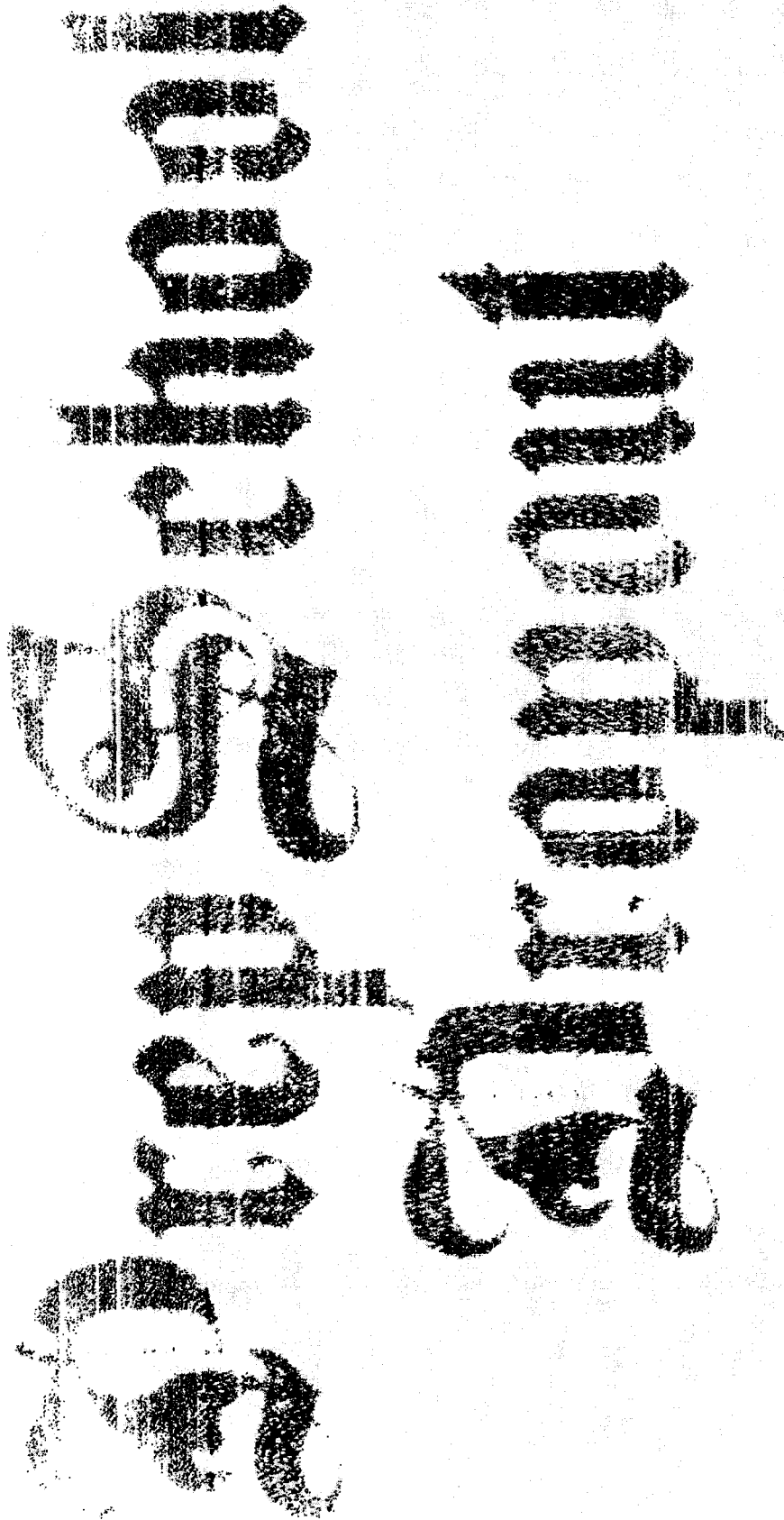




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Juicy Couture Goes Back to School

Although tacky velour track suits are a long-gone trend, I still love me some **Juicy Couture**. The brand is insanely popular with celebs such as Jessica Alba and Eva Longoria, not to mention practically every true girly-girl in America.

Juicy's style is very pretty, playful and cute - a combo I absolutely love. That's why I'm psyched that Juicy Couture is now making school supplies.

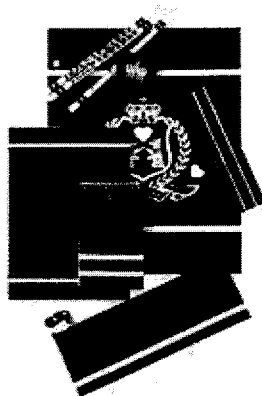
What better way to motivate yourself to go to class than with adorable notebooks, binders and a great bag to hold them in?

The Juicy Couture Laptop Case (pictured at right) is so adorable. It reads "Juicy Couture University" and in small letters "Trustfund Generation." Nothing like a sense of humor to go with your laptop case. Plus, it's pink. I'm seriously in love.

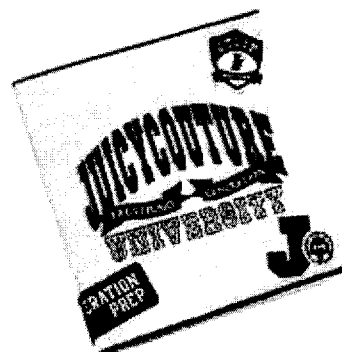


Juicy Couture Laptop Case - \$158

Some other great back to school items from Juicy Couture:



'Back to School' Organizer Set - \$25



'Back to School' Binder - \$48

Back to school shopping is not just about function - it can be fun to get cute stuff too! If you find any adorable notebooks, laptop cases or other school supplies, be sure to let me know and I'll feature them (and you) on this site.

Leave a message in the comments or email **tips AT collegefashion DOT net**.

Posted on July 9th, 2007

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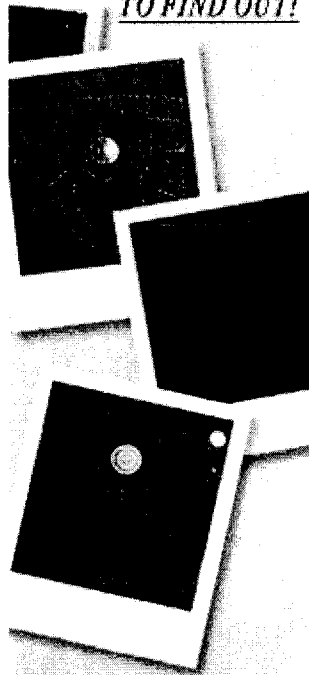
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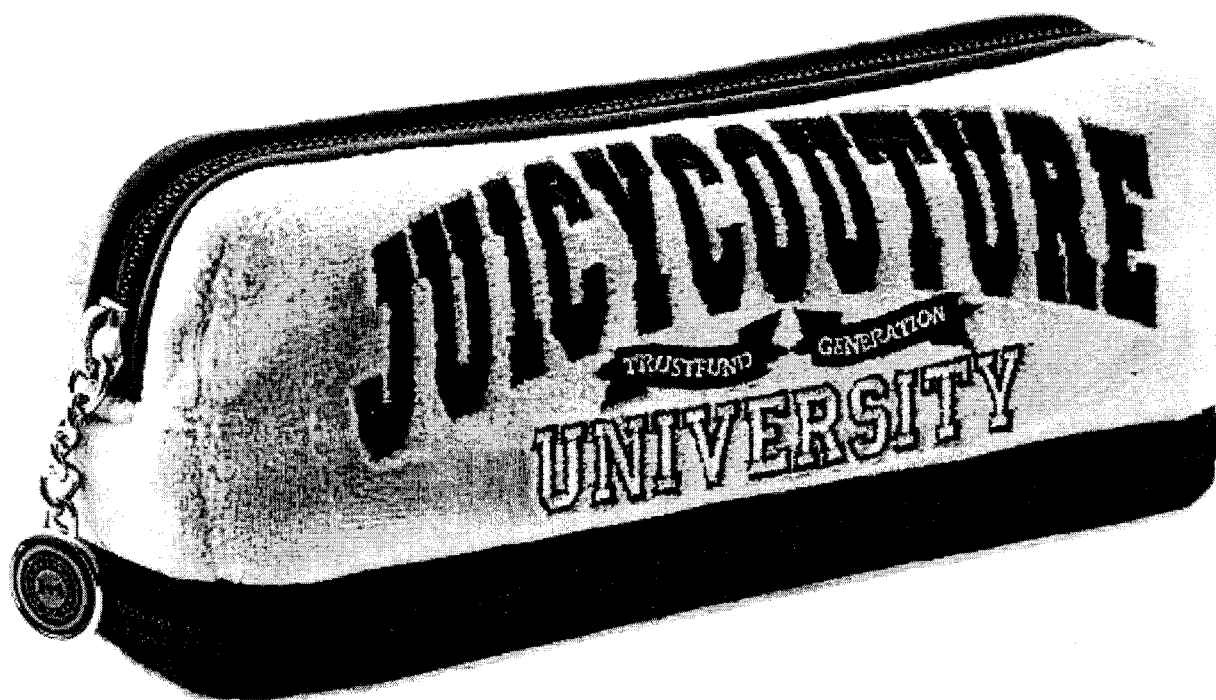


EXHIBIT 3

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,882,280

Registered Sep. 7, 2004

**TRADEMARK
PRINCIPAL REGISTER**

CHOOSE JUICY

L.C. LICENSING, INC. (DELAWARE CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

FOR: CLOTHING, NAMELY, SUITS, SHIRTS, T-SHIRTS, PANTS, SHORTS, SWEATSHIRTS, JACKETS, SKIRTS, DRESSES, TOPS, SWEATERS, HEADWEAR, RAINCOATS, UNDERWEAR, PAJAMAS, ROBES, INFANT WEAR, SWIM WEAR, BEACH WEAR; ACCESSORIES, NAMELY, GLOVES, MITTENS, SCARVES, BELTS; SOCKS AND FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-2002; IN COMMERCE 6-0-2002.

OWNER OF U.S. REG. NOS. 2,285,232, 2,348,674, AND 2,387,924.

SN 76-355,074, FILED 1-3-2002.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,149,134

Registered Sep. 26, 2006

**TRADEMARK
PRINCIPAL REGISTER**

EXTRA JUICY

L.C. LICENSING, INC. (DELAWARE CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

OWNER OF U.S. REG. NOS. 2,285,232, 2,348,674,
AND 2,387,924.

FOR: CLOTHING, NAMELY PANTS, TOPS,
COATS, SKIRTS, DRESSES, IN CLASS 25 (U.S. CLS.
22 AND 39).

SN 76-551,874, FILED 10-16-2003.

FIRST USE 5-12-2006; IN COMMERCE 5-12-2006.

GEORGIA CARTY, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,285,232

United States Patent and Trademark Office

Registered Oct. 12, 1999

**TRADEMARK
PRINCIPAL REGISTER**

JUICY

TRAVIS JEANS, INC. (CALIFORNIA CORPORATION)
12970 BRANFORD AVENUE, #G
ARLETA, CA 91331

FIRST USE 9-15-1996; IN COMMERCE
10-30-1996.

SER. NO. 75-538,291, FILED 8-18-1998.

FOR: CLOTHING, NAMELY, SHIRTS,
DRESSES, PANTS, SKIRTS AND JACKETS, IN
CLASS 25 (U.S. CLS. 22 AND 39).

HAE PARK, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 3,233,785

United States Patent and Trademark Office

Registered Apr. 24, 2007

**TRADEMARK
PRINCIPAL REGISTER**

JUICY BABY

L.C. LICENSING, INC. (DELAWARE CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BABY", APART FROM THE MARK
AS SHOWN.

FOR: CLOTHING, NAMELY, SHIRTS, JOGGING
SUITS, SWEATSHIRTS, SWEATPANTS, PANTS, IN
CLASS 25 (U.S. CLS. 22 AND 39).

SN 76-376,647, FILED 2-28-2002.

FIRST USE 11-2-2006; IN COMMERCE 11-2-2006.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY

Int. Cls.: 14 and 25

Prior U.S. Cls.: 2, 22, 27, 28, 39, and 50

United States Patent and Trademark Office

Reg. No. 2,978,046

Registered July 26, 2005

**TRADEMARK
PRINCIPAL REGISTER**

JUICY COUTURE

L.C. LICENSING, INC. (DELAWARE CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

FOR: JEWELRY, CUFFLINKS, BRACELETS, PENDANTS, JEWELRY PINS, EARRINGS, RINGS, NECKLACES AND PILL BOXES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: CLOTHING, NAMELY, FOOTWEAR, HEADWEAR, NECKTIES, SCARVES, BELTS, SHIRTS, SWEATERS, COATS, SUITS, DRESSING GOWNS, HATS, SOCKS, CAPS, DRESSES, BATHING SUITS, SKIRTS, JACKETS, JOGGING SUITS, SWEATSHIRTS, SWEATPANTS, SHORTS, JEANS, PANTS, SHIRTS, UNDERWEAR, LINGERIE, SWIMWEAR, VESTS, BLOUSES, OVERALLS, TEE SHIRTS,

STOCKINGS, TIGHTS, APRONS, ROBES, PAJAMAS, KNIT TOPS, CAMISOLES, TANK TOPS, GLOVES, UNDERSHIRTS, TROUSERS, BLAZERS, LEGGINGS, PANTIES, BRAS, BUSTIERS, TEDDIES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-1997; IN COMMERCE 6-0-1997.

OWNER OF U.S. REG. NO. 2,348,674.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COUTURE" FOR THE GOODS IN CLASS 25, APART FROM THE MARK AS SHOWN.

SN 76-977,226, FILED 2-28-2002.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,348,674

United States Patent and Trademark Office

Registered May 9, 2000

**TRADEMARK
PRINCIPAL REGISTER**

JUICY COUTURE

TRAVIS JEANS, INC. (CALIFORNIA CORPORATION)
12970 BRANFORD STREET
ARLETA, CA 91331

FOR: WOMEN'S CLOTHING, NAMELY, JACKETS, DRESSES, SKIRTS, SHORTS, PANTS, SHIRTS, AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-1997; IN COMMERCE 6-0-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COUTURE", APART FROM THE MARK AS SHOWN.

SER. NO. 75-743,731, FILED 7-2-1999.

MARIA-VICTORIA SUAREZ, EXAMINING ATTORNEY

Int. Cls.: 9, 16, 18, and 35

Prior U.S. Cls.: 1, 2, 3, 5, 21, 22, 23, 26, 29, 36, 37, 38,
41, 50, 100, 101, and 102

Reg. No. 3,146,100

Registered Sep. 19, 2006

United States Patent and Trademark Office

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

JUICY COUTURE

L.C. LICENSING, INC. (CALIFORNIA CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

FOR: EYEGLASSES AND SUNGLASSES, EYEGLASS AND SUNGLASS CASES, EYEGLASS FRAMES, SUNGLASS FRAMES, EYEGLASS AND SUNGLASS CHAINS AND CORDS. IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 2-0-2006; IN COMMERCE 2-0-2006.

FOR: CRAFT PAPER, PRINTED MATTER, NAMELY, INVITATIONS AND STATIONERY, ADHESIVES FOR STATIONERY OR HOUSEHOLD PURPOSES, ARTISTS' MATERIALS, NAMELY, BRUSHES, PENCILS AND PENS, PENS, PENCILS, ADDRESS BOOKS, AGENDAS/DAY PLANNERS, NOTEBOOKS, STATIONERY, WRITING PAPER, DESK PADS, INK BLOTTERS, BINDERS, COMPOSITION BOOKS, FILE FOLDERS, PHOTO ALBUMS, ENVELOPES, INDEX BOOKS, CALENDARS, STATIONERY, NAMELY, NOTE JOTTERS. IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 10-25-2005; IN COMMERCE 10-25-2005.

FOR: LEATHER AND IMITATION LEATHER GOODS NOT INCLUDED IN OTHER CLASSES, NAMELY, TRAVELLING BAGS, WALLETS, PURSES, POCKETBOOKS, HANDBAGS, SHOULDER BAGS, CLUTCH BAGS, TOTE BAGS, BOOK BAGS, BUSINESS, CREDIT AND NAME CARD CASES,

KEY CASES, PASSPORT CASES, COSMETIC CASES SOLD EMPTY, TOILETTE CASES SOLD EMPTY, DUFFEL BAGS, UMBRELLAS, BACKPACKS, DIAPER BAGS, VANITY CASES SOLD EMPTY, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 3-24-2004; IN COMMERCE 3-24-2004.

FOR: ONLINE RETAIL STORE SERVICES IN THE FIELD OF APPAREL, LEATHER GOODS, FASHION ACCESSORIES, JEWELRY, SHOES, COSMETICS, LUGGAGE, HOME PRODUCTS AND PERSONAL CARE PRODUCTS RENDERED THROUGH A GLOBAL COMPUTER NETWORK; RETAIL STORE AND MAIL ORDER SERVICES FEATURING APPAREL, LEATHER GOODS, FASHION ACCESSORIES, SHOES, JEWELRY, LUGGAGE, COSMETICS, HOME PRODUCTS AND PERSONAL CARE PRODUCTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-21-2004; IN COMMERCE 10-21-2004.

OWNER OF U.S. REG. NO. 2,348,674.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COUTURE" FOR THE SERVICES IN CLASS 35, APART FROM THE MARK AS SHOWN.

SN 76-978,162, FILED 2-28-2002.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,995,498

Registered Sep. 13, 2005

**TRADEMARK
PRINCIPAL REGISTER**

JUICY COUTURE BABY

L.C. LICENSING, INC. (CALIFORNIA CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

OWNER OF U.S. REG. NOS. 2,285,232, 2,348,674,
AND 2,387,924.

FOR: CLOTHING, NAMELY, SHIRTS, BLOUSES,
T-SHIRTS, PANTS, SHORTS, OVERALLS, SWEAT-
SHIRTS, JACKETS, COATS, SKIRTS, DRESSES,
TOPS, SWEATERS, VESTS, HEADWEAR, HATS,
CAPS, PAJAMAS, BEACH WEAR, BEACH COVER
UPS; ACCESSORIES, NAMELY, GLOVES, MITTENS,
SCARVES, SOCKS, IN CLASS 25 (U.S. CLS. 22 AND
39).

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "COUTURE BABY", APART FROM
THE MARK AS SHOWN.

SN 76-355,510, FILED 1-3-2002.

FIRST USE 3-0-2002; IN COMMERCE 3-0-2002.

KARANENDRA S. CHHINA, EXAMINING ATTOR-
NEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 3,265,587

United States Patent and Trademark Office

Registered July 17, 2007

TRADEMARK
PRINCIPAL REGISTER

JUICY GIRL

L.C. LICENSING, INC. (DELAWARE CORPORATION)
1441 BROADWAY
NEW YORK, NY 10018

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE GIRL, APART FROM THE MARK
AS SHOWN.

FOR: WOMEN'S AND GIRLS' CLOTHING,
NAMELY, BOTTOMS, TOPS, IN CLASS 25 (U.S.
CLS. 22 AND 39).

SN 76-978,523, FILED 3-17-2003.

FIRST USE 11-1-2006; IN COMMERCE 11-1-2006.

ODESSA BIBBINS, EXAMINING ATTORNEY

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

Requirements in the First Ten Years*

What and When to File:

- First Filing: A Declaration of Continued Use (or Excusable Non-use) filed between the 5th and 6th years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- Second Filing: A Declaration of Continued Use (or Excusable Non-use) and an Application for Renewal, filed between the 9th and 10th years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

Requirements in Successive Ten-Year Periods*

What and When to File:

- A Declaration of Continued Use (or Excusable Non-use) and an Application for Renewal, filed between each 9th and 10th-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

Grace Period Filings*

There is a six-month grace period for filing the documents listed above, with payment of an additional fee.

The U.S. Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements. Therefore, you should contact the USPTO approximately one year prior to the deadlines set forth above to determine the requirements and fees for submission of the required filings.

NOTE: Electronic forms for the above documents, as well as information regarding current filing requirements and fees, are available online at the USPTO web site:

www.uspto.gov

YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS IDENTIFIED ABOVE DURING THE SPECIFIED TIME PERIODS.

*Exception for the Extensions of Protection under the Madrid Protocol:

The holder of an international registration with an extension of protection to the United States must file, under slightly different time periods, a Declaration of Continued Use (or Excusable Non-use) at the USPTO. See 15 U.S.C. §1141e; 37 C.F.R. §7.36. The renewal of an international registration, however, must be filed at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol. See 15 U.S.C. §1141j; 37 C.F.R. §7.41.

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office
Reg. No. 3,329,779
Registered Nov. 6, 2007

TRADEMARK
PRINCIPAL REGISTER

JUICY GIRL

L.C. LICENSING, INC. (CALIFORNIA COR- FIRST USE 2-9-2001; IN COMMERCE 2-9-2001;
PORATION),
1441 BROADWAY
NEW YORK, NY 10018
SN 75718579, FILED 6/1/2009

FOR CLOTHING, NAMELY SHIRTS, IN CLASS KARANENDRA S CHHINA, EXAMINING ATTOR-
25 (U.S. CLS. 22 AND 39) NEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,387,924

United States Patent and Trademark Office

Registered Sep. 19, 2000

**TRADEMARK
PRINCIPAL REGISTER**

JUICY JEANS

TRAVIS JEANS, INC. (CALIFORNIA CORPORATION)
12970 BRANFORD STREET
ARLETA, CA 91331

OWNER OF U.S. REG. NO. 2,285,232.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT
TO USE "JEANS", APART FROM THE MARK AS
SHOWN.

FOR: GIRLS' AND WOMENS' CLOTHING, NAME-
LY, JEANS, PANTS, SHORTS, SKIRTS, T-SHIRTS,
SHIRTS, TOPS, JACKETS, VESTS, BANDANNAS, IN
CLASS 25 (U.S. CLS. 22 AND 39).

SER. NO. 75-853,613, FILED 11-22-1999.

FIRST USE 1-15-1997; IN COMMERCE 3-1-1997.

RUDY R. SINGLETON, EXAMINING ATTORNEY

EXHIBIT 4

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 Master of Arts in Education
 Master of Information Systems

BY ANONYMOUS Rumors and accusations have become the Juicy Campus Web site's bread and butter.

By RICHARD MORGAN
Published: March 16, 2008

THE post that appeared on a Juicy Campus message board on Feb. 25 was blunt and decidedly extracurricular.

It identified a Yale sophomore, by name, as having appeared in a pornographic movie, and linked to a Web site that showed him engaging in explicit acts with three other men. The post had about 900 views in its first few days (about 5,300 undergraduates attend Yale).

After learning about the post from a roommate, the student spent most of that evening panicked and dispirited. In the days that followed, he pored over study materials for his midterm exams and did his best to focus on his coming spring vacation. "I'm trying to zone it out," he said in a telephone interview. "What else could I really do?"

Such dramas pervade Juicy Campus, an eight-month-old Web site (JuicyCampus.com) that cultivates and distributes gossip across a network of 59 college campuses. Promising that all posts will be anonymous, it allows students to participate in a collegiate version of celebrity gossip sites like TMZ.com and PerezHilton.com; it is a dorm bathroom wall writ large, one that anyone with Internet access can read from and post to.


For students who have been identified by name on Juicy Campus, the results can be

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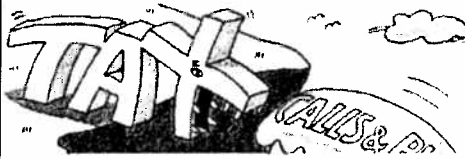
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devastating. In a tearful phone conversation, a 21-year-old junior at Baylor who majors in public relations recounted her experience when her name surfaced on the site in a discussion about the “biggest slut” on campus.

“I’m trying to get a job in business,” she said. “The last thing I need or want is this kind of maliciousness and lies about me out there on the Internet.”

Without registering, anyone can post to the site, where messages are tagged with keywords — Harvard, spring break, overheard on campus — for easier in-site searching.

Messages skew toward discussions of Greek societies and students’ sex lives: hottest fraternities, “sluttiest” sororities, and who gave herpes to whom. The site’s most-viewed forums usually trade in gossip at small colleges with strong fraternity and sorority systems.

Juicy Campus’s single most popular post seeks to identify the most promiscuous sorority sister at the University of California’s Irvine campus.

Ashley Rose, a junior, was more annoyed than upset to discover that she was named in the post. “It’s amusing, really,” she said. “It’s all so exaggerated and extreme that you kind of know it’s a lie. It’s a site for cowards and melodramatic people.”

Under Juicy Campus’s terms and conditions, users agree not to post anything “unlawful, threatening, abusive, tortious, defamatory, obscene, libelous, or invasive of another’s privacy.”

To reiterate that point, Matt Ivester, the site’s founder, recently declared on his site’s official blog that “hate isn’t juicy,” and attached an exculpatory note from his legal team.

Mr. Ivester, a 2005 graduate of Duke, declined requests for interviews and did not respond to e-mailed questions. In February he told The Daily Bruin, a student newspaper at the University of California, Los Angeles, that Juicy Campus was part of a trend toward “gossip 2.0” and that he found it “pretty entertaining.”

The Sigma Phi Epsilon fraternity has been crucial to the success of the site and of Mr. Ivester (whose [Facebook](#) profile photo shows him wearing a fraternity T-shirt and cap). When he founded Juicy Campus in August 2007, he asked his fraternity brothers across the country to provide feedback on how the site was organized and to offer material for some of its earliest posts.

But now many of these same fraternity brothers are part of the backlash against the site. “I don’t see any value in it,” said Aulden Burcher, a senior at Duke, a member of Sigma Phi Epsilon and a friend of Mr. Ivester’s. “Look at what it does to the Greek system: rankings, sex, drugs, what happened at parties. Nobody is made better by it.”

Some student bodies are trying to ban Juicy Campus from their campus. Last month the student government at Pepperdine, in Malibu, Calif., passed a resolution urging the administration to prohibit access to the site.

“Looking back, it was a mistake,” said Austin Maness, a senior who wrote the resolution but now feels that it only increased students’ awareness of Juicy Campus. “Curiosity killed the cat,” he said, “and everyone started going to the site.”

Similar bans are being discussed at Columbia and Yale, and by the Greek systems at the University of California’s 10 campuses.

In situations where Juicy Campus posts have crossed the boundary from nuisance or

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harassment to outright threat, the site has cooperated with authorities. In December, Carlos Huerta, a senior at Loyola Marymount University, in Los Angeles, posted a message on Juicy Campus alleging that he would start a shooting spree on campus. At the request of the police, Mr. Ivester traced the threat to Mr. Huerta, who was arrested and released without charges.

Authorities can also intercede without Mr. Ivester's cooperation, as occurred last week when a similar message appeared, written by somebody wondering if he could get his classes canceled by starting a shooting spree. The police traced the post to George So, a junior at Colgate University, who was arrested and charged with second-degree aggravated harassment and released on \$1,000 bail.

For many students who have been written up on Juicy Campus, even those who are accustomed to posting provocative pictures on Facebook photo albums and drunken videos on YouTube, the experience has been a formative lesson that an online reputation is as much a part of one's permanent record as a grade-point average or a credit score.

"Juicy Campus is really just an exclamation point following everything that's already been going on," said Daniel J. Solove, an associate professor of law at George Washington University who specializes in online privacy.

College students, he said, aren't "thinking about the consequences because they haven't experienced them yet and because they weren't warned by their parents, who didn't experience them, either."

Despite their distaste for the site, some legal experts believed Juicy Campus could not be sued for gossip posted by its users.

"Legally, Juicy Campus is fully, absolutely immune, no matter what it runs on its site from users, just like AOL is not responsible for nasty comments in its AOL chat rooms," said Michael Fertik, a graduate of Harvard Law School and the founder of reputationdefender.com, a service that helps clients remove defamatory material about themselves from the Internet.

But he added that the Communications Decency Act of 1996, which provides the site legal protections, was "functionally Mesozoic" in the blogging age. Juicy Campus, he said, "is not encouraging people to be themselves, it's encouraging people to be the worst version of themselves."

Even if such options were open to him, the Yale student whose pornographic past was exposed on Juicy Campus said he would probably not take action against the site. "Revenge means focusing on someone else, when what I need to do is take care of myself," he said. "I'm not a gossip person, which means I'm not a counter-gossip person, either."

The day after his history was revealed, he changed the photograph on his Facebook profile to one of himself giving viewers a halfhearted thumbs up.

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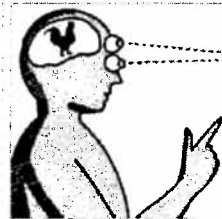


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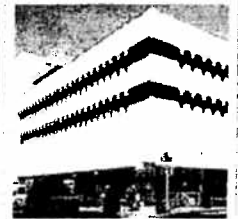
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Friday, March 21, 2008

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Juicycampus.com has become the latest must-read Web site at UC Berkeley, if for no other reason than to make sure the latest gossip isn't hitting too close to home.

For those whose names show up on the site, it can be a rude awakening, as anonymous posters are free to say anything they want - often in salaciously sexual detail. Bragging about one-night stands that used to be shared just between fraternity brothers is now out there for anyone to see.

For example, one recent anonymous post listed a female Berkeley student by name and asked for comments. Responses, also anonymous, ranged from "whore" to "hooked up with half of every frat."

Another poster described in stark sexual detail the backseat performance of a Cal student, including what color panties she was wearing. Then he provided not only her name, but a link to a Facebook page he believed was hers.

The site is getting heavy traffic, with some postings getting hundreds of views within minutes and thousands within a day or so. Started in August, Juicycampus.com has spread rapidly across the country to 61 campuses, from Yale to five University of California campuses. It's the creation of Duke University graduate Matt Ivester, who gave it the motto "Always Anonymous ... Always Juicy."

Currently, anyone can go on the site's bulletin board anonymously and say anything, no matter how profane or grossly libelous, about someone else, listing names and other identifying information.

And once someone is targeted, there's virtually nothing they can do about it

"It really is just shallow gossip. It is just low blows," said Christina Starzak, president of the UC Berkeley Panhellenic Council. She sent out an e-mail to all campus sorority leaders urging them to dissuade members from using the site.

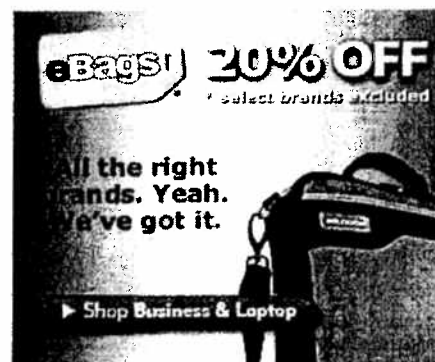
"Some of it is very offensive to people in our community and we don't know where it is coming from because it is anonymous," she said.

Students who have attempted to get comments or names removed from it have been unsuccessful, critics of the site claim.

Legally, that's not surprising, said Lauren Gelman, executive director of the Center for Internet and Society at Stanford Law School. That's because laws are in place to protect Web sites from being legally responsible for the comments of users.

"They don't have to take things down. As long as they are just hosting other people's comments, they are legally protected," Gelman said. "It is another example where protecting speech does create uncomfortable situations for people. But I believe the benefits of protecting speech on the Internet and the benefit for the companies that it provides is important."

That could change. The company is now under investigation by the New Jersey attorney



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general's office, which has subpoenaed records it believes will show Juicy Campus is violating state laws. At issue is whether the site has failed to enforce its own "terms and conditions" that prohibit abusive and obscene language, as well as the invasion of privacy.

The site's owners said on a Juicy Campus blog that it would be too arduous to screen the tens of thousands of postings and that a standard for editing would be difficult to determine.

Ivester said in an e-mail to The Chronicle that his site allows students to discuss topics that most interest them.

"We really aren't in the position to judge the validity of any given post," Ivester said. "If we just started taking down posts by request we would be limiting the free speech of our users, and that doesn't seem right."

Juicy Campus decides which campuses to include on its site and so far UC Berkeley is the only Northern California school listed among the 61 colleges. Other UC campuses are those in Los Angeles, Irvine, San Diego and Santa Barbara.

Its arrival hit the Berkeley campus like a tsunami last month, generating a buzz among students that was hard to ignore - especially in the tight-knit Greek sorority and fraternity system.

The site assures users that they cannot be identified by other users. But authorities have stepped in twice to obtain the identity of contributors after threatening posts were put up at Colgate University and Loyola Marymount University in Southern California. At Colgate, an anonymous poster to the site wrote last week that he was going to shoot as many people as he could in his class in order to shut down the school. He was arrested and authorities determined it was a prank, according to a message to the campus community from the dean of students. A similar incident occurred at Loyola Marymount.

The student government at Pepperdine University asked campus administrators to block the site from campus servers. But campus spokesman Jerry Derloshon said school officials did not feel that they should ban a Web site.

"We think the Juicy Campus phenomenon will cycle out and the spectacular nature of it will be its own downfall," Derloshon said.

At UC Berkeley, Shelton Waggener, associate vice chancellor for information technology and campus chief information officer, said every campus technology chief in the country has heard of the new Web site.

But Cal has a policy of not blocking sites based on content. And blocking it from the campus Internet connections would not be effective anyway because many students live off campus, he said.

"It is pretty tasteless material. But the fact that the site is offensive is not grounds for us to take action," Waggener said. "We thrive on free speech. ... The students' single most effective approach is to not go to the site."

E-mail Tanya Schevitz at tschevitz@sfchronicle.com.

This article appeared on page B - 5 of the San Francisco Chronicle

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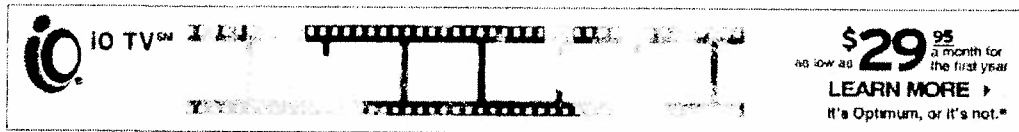
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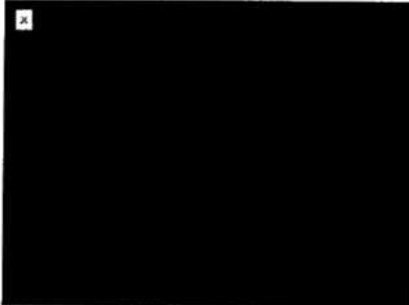
College Web site posts sex gossip, hate, rumor

STORY HIGHLIGHTS

- JuicyCampus.com allows people to anonymously make comments about anyone
- College students worry about the effect the site could have on jobs, reputation
- Some students want the site banned on campus; schools have rejected that idea
- The site's founder says free speech is critical, particularly on campuses

Next Article in Technology »

(AP) — The Cornell University junior was in his dorm between classes when the text message came in from a friend. Check out JuicyCampus.com, it said.



Andy Canales, student body president at Pepperdine University in California, expects the JuicyCampus.com growth to...

The student found his name on the Web site beside a rambling, filthy passage about his sexual exploits, posted by an anonymous student on campus. The young man could only hope the commentary was so ridiculous nobody would believe it.

"I thought, 'Is this going to affect my job employment? Is this going to make people on campus look at me? Are people going to talk about me behind my back?'" said the student, who asked not to be identified. He also wondered about his 11-year-old sister, who is spending more time on the Internet. "What if she Googles me? What will she think about her big brother?" he said.

JuicyCampus' endless threads of anonymous innuendo have been a popular Web destination on the seven college campuses where the site launched last fall, including Duke, UCLA and Loyola Marymount. It recently expanded to 50 more, and many of the postings show they've been viewed hundreds and even thousands of times.

But JuicyCampus has proved so poisonous there are signs of a backlash.

In campus debates over Internet freedom, students normally take the side of openness and access. This time, however, student leaders, newspaper editorials and posters on the site are fighting back — with some even asking administrators to ban JuicyCampus. It's a kind of plea to save the students, or at least their reputations, from themselves.

"It is an expression from our student body that we don't want this junk in our community," said Andy Canales, leader of the student government at Pepperdine, which recently voted 23-5 to ask for a ban.

The vote came after a long and emotional debate on the limits of free speech, and was swayed by stories from students such as Haley Frazier, a junior residential adviser. She had recently come across a teary transfer student who had been humiliated on the site barely a week after arriving on campus.

"I can't imagine the disgust she must have for Pepperdine if that's what (students) say," Frazier said.

College administrators say they are appalled by the site but have no control over it since students can see it outside the campus computer network. They say all they can do is urge students not to post items or troll for malicious gossip — and hope that in the process they learn about how to get along.

That tactic may be having an effect.

Playground meanness on the Web

At a number of campuses where JuicyCampus was a hot topic even just a few weeks ago, students and administrators say use and complaints have tapered off sharply. That's hard to confirm; Internet tracker comScore Inc. says the site's visitor numbers are too low to be counted by its system.

But more and more postings criticize the site, with comments like, "let's not ruin each other's lives," and, "If you can't personalize any of the stuff you read or write here, imagine it happening to your sister or your best friend."

"People have gotten just extremely sick of hearing all this stuff," said Rachelle Palisoc, a freshman at Loyola Marymount in California, who joined a Facebook group called "Ban Juicycampus!!!!" that has about 850 members.

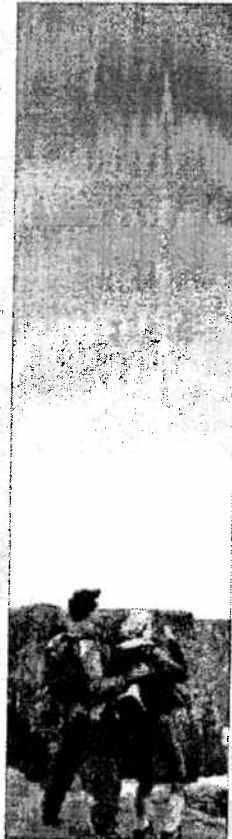
Free to use and supported by advertising, JuicyCampus is a simple conduit urging users to post gossip and promising them total anonymity. There are threads on campus hook-ups, who's popular and who's overweight.

"Top ten freshman sluts" reads one typical thread, and "The Jews ruin this school" another. Homophobia is common. Many postings combine the cruelty of a middle school playground, the tight social dynamics of a college campus and the alarming global reach of the Internet.

JuicyCampus pledges that it blocks its discussion boards from being indexed by search sites like Google, and that appears to be true.

"College students are clever and fun-loving, and we wanted to create a place where they could share their stories," said Matt Ivester, the site's founder, who agreed to answer questions by e-mail.

"Like anything that is even remotely controversial, there are always people who demand censorship," he said in response to calls he has rejected — including one from his alma mater, Duke — for him to shut down the site. "However, we believe that JuicyCampus can have a really positive impact on college campuses, as a place for both entertainment and free expression. Frankly, we're surprised that any college administration would be against the free exchange of ideas."



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Duke's vice president for student affairs, Larry Moneta, said the school asked Ivester to consider "moderating the venom or at least moderating the opportunity for venom." However, "my sense is that's not that person's interest," Moneta said.

Slut's okay, shooting's not

Under U.S. law, sites like JuicyCampus generally bear no responsibility for what their users post, said George Washington University law professor Daniel Solove, author of the recent book "The Future of Reputation: Gossip, Rumor, and Privacy on the Internet."

But Solove believes Congress and the courts have gone overboard protecting such sites. It's one thing to protect the owner of a Web site when someone posts a defamatory message unbeknownst to the operator. But Solove says sites like JuicyCampus exist solely to propagate gossip and should be held to a different standard.

In fact, JuicyCampus seems designed to shield its users from the threat of libel claims. The site's privacy page notes that it logs the numeric Internet protocol addresses of its users, but does not associate those addresses with specific posts. That is unlike mainstream social networking sites, which do maintain such detailed logs.

JuicyCampus also goes further by directing posters to free online services that cloak IP addresses. "Just do a quick search on Google and find one you like," JuicyCampus advises.

The site's companion blog reminds users that "our terms and conditions require users to agree not to post anything that is defamatory, libelous, etc." But a few paragraphs later, the blog implies that it will rebuff anything short of a public safety query: "If your school calls upset about some girl being called a slut, we're not handing over access to our server data. If the LAPD calls telling us there is a shooting threat, you better believe we're gonna help them ..."

Fraternity and sorority leaders and student governments are mainly urging students to sap the site of advertisers by turning a blind eye.

"If we don't get on there it will die," said C.J. Sticken, student government president at Cornell, where students vented at a meeting last week.

The concerns extend beyond hurt feelings. At Loyola Marymount, a now-former student was arrested after allegedly posting a threat of a campus shooting spree on JuicyCampus. And the dangers of social network bullying were highlighted by the recent death of a 13-year-old suburban St. Louis girl who committed suicide after receiving cruel messages on her MySpace page — messages that turned out to be a hoax.

Pepperdine spokesman Jerry Darlosion said the school applauds the student government's reaction, though Pepperdine has not banned the site.

"In the end," he said, "the site's shock value will diminish and it will be revealed for what it is: empty." E-mail to a friend

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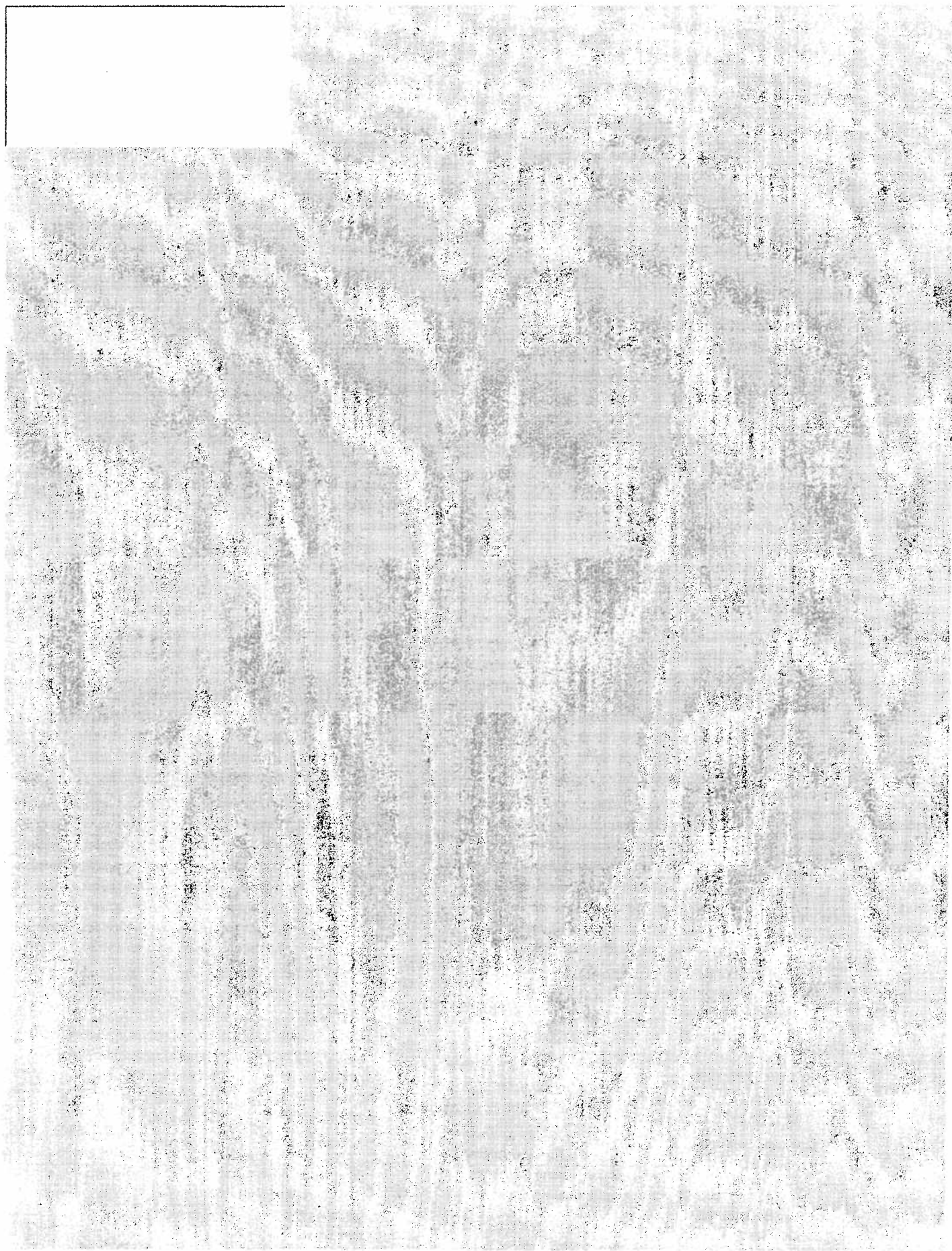


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25: Media Briefing for Tuesday, March 25, 2008

Category: General | Posted by: Thirteen

a Briefing for Tuesday, March 25, 2008

Connecticut state attorney general Richard Blumenthal is now investigating and the state of New York is subpoenaing the Web site [Juicy Campus.com](#). Juicy Campus allows students to anonymously post comments about other students, often negative and involving sex and other personal matters. Critics cite the incident earlier this year in which a 13-year-old suburban Saint Louis, Missouri girl took her own life after hurtful comments were made on the Internet in emails to her. The comments name names. On Juicy Campus, everyone can read the messages. There are reports about Juicy Campus in the New York Times, the Washington Post, San Francisco Chronicle, Louisville Courier Journal, Hartford Courant, and Connecticut Post, Associated Press, Newsweek, Washington Post, WABC-TV channel 7 New York and WBZ TV channel 4 Boston have reports. There are also reports in various college newspapers including the Yale Daily News, Daily Princetonian, Los Angeles Los Angeles, and Marquette Tribune.

... unusually aggressive move, the Fox television network is refusing to pay an FCC indecency reports the [Washington Post](#).

... proposed merger between the Sirius and XM satellite radio services has been approved by the Justice Department, clearing a major hurdle. It still awaits approval by the FCC. Associated Press, Washington Post, Washington Times and the New York Times report. The department says the merger is not likely to harm consumers, reports [mocoNews](#).

... the rise of Internet downloading of movies, and services such as Netflix, large cinema buildings are increasingly being abandoned, says the [Hartford Courant](#).

... ials in the town of Sebastopol, California have turned down a plan to provide free wireless Internet, citing possible adverse health effects, reports [Associated Press](#).

The Internet population in the U.S. is skewed toward females, and will continue to be for the next several years, says [eMarketer](#).

Comcast is now offering landline telephone service for small businesses in Connecticut, says the [Hartford Courant](#).

Google, owner of the world's most popular Internet search engine, proposed a plan that may let wireless Internet devices use vacant television airwaves without interfering with current equipment. In a letter to the Federal Communications Commission, Google offered suggestions on how the airwaves, known as white spaces, could provide high-speed mobile access to consumers without disrupting TVs and wireless microphones. Los Angeles Times, San Francisco Chronicle, Associated Press, Bloomberg News and Online Media Daily report.

TV stations are betting the love affair national advertisers are having with digital media may not be all it's cracked up to be.

Aiming to turn marketers' attention back to local TV news, Hearst-Argyle Television will unveil during this week's annual Television Bureau of Advertising conference in New York the results of a study it commissioned from Frank N. Magid Associates quantifying the loyalty of local TV news

audiences compared to other media. Using the TVB gathering to launch an industrywide marketing campaign, Hearst-Argyle aims to convince national buyers during the forthcoming upfront negotiations that local news shouldn't be overlooked. Media Week reports.

Will this new traffic alert system some day make radio station helicopter traffic reporters obsolete? Some tech entrepreneurs wondered what would happen if all of those isolated drivers could be connected and warn one another what lies ahead. The idea will get a closely watched tryout this week, when Dash Navigation begins selling two-way Geographic Positioning System devices for cars, creating, in essence, a network of drivers. A central computer will collect speed and location information from each car, then create and transmit back what the start-up company hopes will be the most complete and up-to-the-minute picture of traffic ever created. The Washington Post reports.

Don't like Real Player? Some say it is loaded with ads. You've got options. PC World reports.

Philadelphia CBS station KYW-TV channel 3 has hired its first reporter who will work primarily for the station Web site, says the Philadelphia Daily News.

Anti-Chinese government activists challenging the secrecy surrounding the Olympic torch's visit to San Francisco on April 9 are stepping up efforts to stage high-profile demonstrations when the torch is carried through the city. The American Civil Liberties Union is demanding information from the city on the details of the torch route and is arguing that protesters have a right to plan their rallies based on the route. At least one group that wants China to help ease the humanitarian crisis in Sudan's Darfur region plans to line the route with activists. And another organization is contacting the San Francisco-bound torch runners, telling them why the group thinks China should pull its military forces out of Tibet, says the San Francisco Chronicle.

The Chinese media are ignoring the Tibet protests, says Associated Press.

The 4,000th American soldier has now been killed in the Iraq War, but the two Democratic presidential campaigns are not discussing it. Instead, there is discussion in the media of comments by surrogates about the campaign tactics of the other side, says the Washington Post.

Former Tennessee U.S. congressman Harold Ford Jr. has jumped from the Fox News Channel to MSNBC as an analyst, says TV Newser.

As California joins five other states in requiring drivers to use hands-free devices when talking on cellphones, an increasing body of research suggests the legislation will accomplish little. The risk doesn't stem from whether one or both hands are on the wheel, the research suggests. It's whether the driver's mind is somewhere else. The biggest danger is "cognitive capture" - or being blind to driving cues because one is absorbed in conversations, especially emotional ones. The Los Angeles Times reports.

GE denies it will sell NBC, says Media Post.com.

After a rocky road, the TV station group owner Granite is seeing better times, says TV Newsday.

Radio One, the nation's largest black owned radio station group owner, is selling KRBV-FM 100.3 Los Angeles for \$137.5 million to Bonneville, the station group which is owned by the Mormon Church and owns Washington all-news FM station WTOP 103.5, among other stations nationwide. The Washington Post reports.

In Pittsburgh, the entire staff at FM station WLTI 92.9 has been dismissed, reports the Pittsburgh Post Gazette.

The Digital Media Association spent almost \$1.1 million in 2007 lobbying on royalties paid by Internet radio stations, according to a disclosure form. The trade group lobbied Congress in favor of legislation that would have nullified a decision by a three-judge copyright panel requiring Internet radio stations to pay a royalty rate that the industry argues is excessive, according to the form, posted online February 13 by the Senate's public records office. Associated Press reports.

Revenue sources from digital music are examined by [eMarketer](#).

CNN Headline News is adding a new show, *Not Just Another Cable News Show*, to its weekend lineup. The series will take a lighthearted look back at famous – and infamous – stories that made news. The series will premiere April 5 at 7 p.m. and will feature some of the most unforgettable political blunders of our time. Future episodes will highlight bad celebrity behavior, stupid criminals and unusual pop culture fads. MultiChannel News reports.

Another snowstorm clobbered Wisconsin over the weekend, and non-stop coverage on local TV stations brought them big ratings, says the Milwaukee Journal Sentinel.

Eco-visionary Michael Reynolds is the star of the documentary "Garbage Warrior," which helps open the second season of Sundance's *The Green* at 9 p.m. on April 1, says [Associated Press](#).

Details on some media online ad media networks are offered by [Associated Press](#).

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California Scrutinizes Juicy Campus Web Site for Potential Legal Violations

By Jessica Mullen / Staff Writer

Published Wednesday, April 2, 2008

Issue 96 / Volume 88

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Rickey Mizuno / Daily Nexus

Online gossip forum JuicyCampus.com came under attack this past week after state officials charged that the Web site's "always anonymous and always juicy" posts violate consumer protection laws.

California officials are now attempting to launch a fraud investigation following legal action taken last week by the attorney general offices of New Jersey and Connecticut. After the two states charged JuicyCampus.com with violating its own terms and conditions and misleading users, California Assemblyman Alberto Torrico authored a letter to Attorney General Edmund G. Brown requesting an investigation.

JuicyCampus.com is an online forum where students can anonymously post "juicy" gossip concerning their respective college communities. The site contains pages of rumors that users can read, reply to and rank in terms of "juiciness."

The majority of the posts target the greek system and range from remarks about favorite rock bands to allegations of sexual impropriety and drug abuse. In the past few months the site has created controversy at other schools such as Pepperdine University, where the student government called for a ban on the Web site from school servers, and at Loyola Marymount University, where a student was arrested on charges that he posted a death threat on JuicyCampus.com.

In a written statement to the attorney general, Torrico described Juicy Campus as a "dangerous campus gossip Web site that may be spreading libelous information, propagating hate speech, and endangering the safety of women on campuses across the state." Torrico demanded an aggressive investigation to determine whether the site was violating consumer protection laws and state civil rights.

While the user conduct section of JuicyCampus.com's terms and conditions prohibits users from posting any content that is defamatory, obscene, libelous or invasive of another's privacy and threatens to report violators to applicable authorities, the site does not monitor content.

The New Jersey and Connecticut general attorney offices say that because Juicy Campus claims to ban libelous content - but fails to enforce this policy - it violates its own terms and conditions.

However, according to Matt Ivester, CEO and founder of JuicyCampus.com, the site does not claim to self-police by screening material or removing posts.

"Nowhere is it stated that we will remove content from the Web site," Ivester said. "We ask in our terms and conditions for users not to post defamatory material but in section six we state there is no screening of content. The idea we are not following our own terms and conditions is ridiculous."

Additionally Ivester said the Web site is legally shielded by both the First Amendment and the 1996 Communications and Decency Act Section 230, which provides immunity from liability for providers of an interactive computer service who publish information provided by others.

"I am very confident we have not violated any laws," Ivester said.

Still, Robin Unander, an Associated Students Legal Resource Center attorney, charged that JuicyCampus.com is deceiving users and may be subject to less stringent legal interpretations.

"JuicyCampus.com is misleading users," Unander said. "On one hand they claim to protect people but they are talking out their mouth and ass because there is no way people can take down the posts. ... Laws are meant to be broadly interpreted. New Jersey and Connecticut are applying [consumer protection] laws in a liberal sense and saying JuicyCampus.com is talking out both ends and they need to decide to protect users or not have a disclaimer on their site."

UCSB Interfraternity Council President J.P. Primeau, said that in the absence of immediate legal alternatives, the greek community has decided to disregard the site.

"Everything on the site is bullshit rumors and hearsay so we found the best thing to do is act like the site does not exist," Primeau said.

Meanwhile Ivester said JuicyCampus.com will continue to operate despite any pending investigations.

"We are continuing business as usual," Ivester said. "We are confident we will not be bullied and we won't let the attorney general violate the free speech rights of our users."

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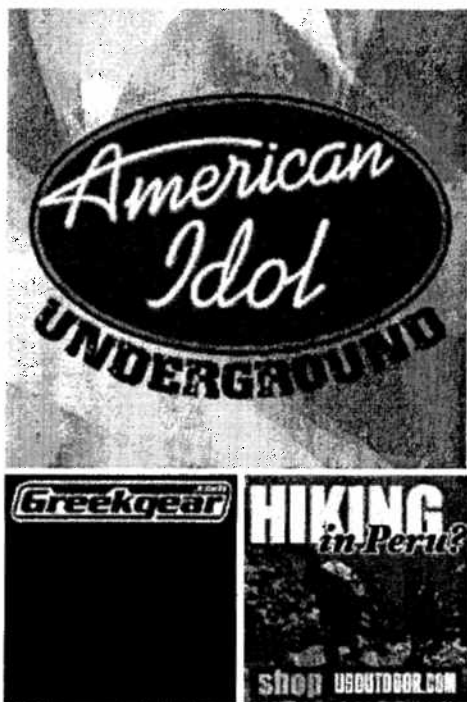
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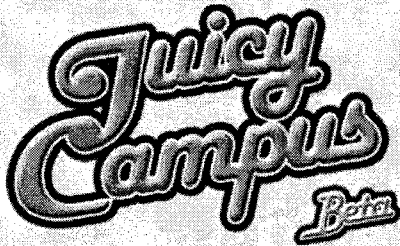
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EXHIBIT 5



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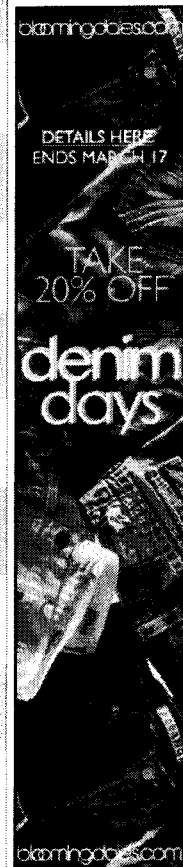
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● Hottest Freshman Girl On Campus	66% JUICY 120 votes 21270 views	#Replies 59
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● Samson Mesele = cheater?	51% JUICY 222 votes 17640 views	#Replies 86
12-03-2007		
● Hottest Sorority?	50% JUICY 100 votes 12363 views	#Replies 56
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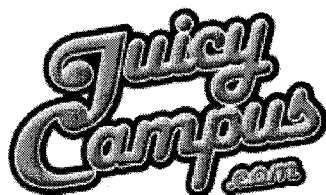
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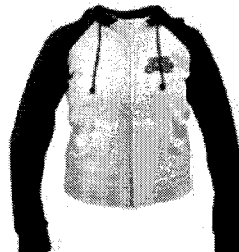
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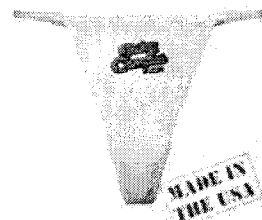
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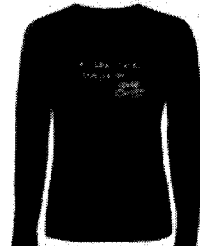


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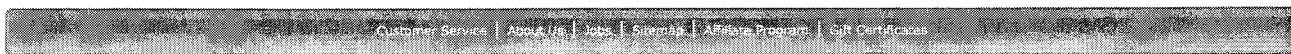
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Sunday, February 24, 2008

talking shit about a pretty sunset

if you're a big fan of trashy tabloids and are a tcu student, chances are you've been to juicycampus.com.

i first saw the ads on facebook screaming "TCU'S JUICY!" a couple of months ago, and wrote them off as as juicy couture ads or something equally lame (even though i was fairly convinced that the days of designer velour sweats were long over, and had since been replaced with leggings/sorority t-shirts/uggs, and some sort of northface item for good measure).

so i decide to check it out, and it's awful. it's the burn book of tcu, if you will. it's like [getting drunk and] talking shit about anyone and everyone you hate, simply because... and it's accordingly bitchy to the extreme. it's a total catch-22; you want to agree with all the people pointing out who the creepers on campus, or that yes, so and so DOES have the herp, but you simply cant. and if you do, karma will bite you in the ass ten fold some day. i dread the day when/if my name ever appears, because you'll never know the source of the thread; the site is entirely anonymous and uncensored.

so when you're postponing writing your oscar wilde essay that is due in ten hours (and you haven't even started), just remember that juicycampus.com is there for all your horrific needs. for example, if you ever need to validate yourself via reading extensive bitching laments/replies, just check out the awful (and many times, graphic) threads on the gem of a site, and find yourself starting a love-hate relationship with it as well. it's incredibly, despicably, undeniably stupid, but the best waste of time i've indulged in today. oops...



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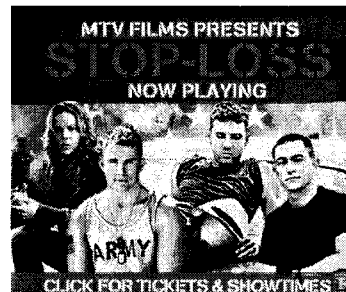
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JuicyCampus.com: Nothing But Trouble (Part Two)

Posted February 19th, 2008 by knockbeforeyouenter
Is it just me, or does the name JuicyCampus.com sound just like the popular clothing line Juicy Couture? I sense copyright infringement on a name.

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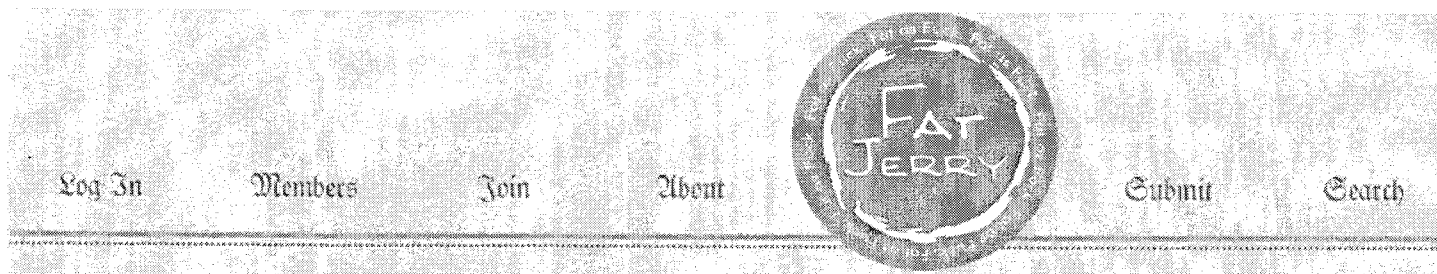
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27% of Jerries would do Janice Dickinson for access to her medicine cabinet.

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JuicyCampus banned? I want JuicyOffice, like pronto

Tuesday, February 19, 2008 posted by Lady Penelope in Crime Gossip interwabs

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Posted by Tapestry of Passion
02/19 04:41 PM

I'm pretty much in favour of everything juicy.



Posted by Tapestry of Passion
02/19 04:42 PM

"It is an expression from our student body that we don't want this junk in our community," said Andy Canales, leader of the student government at Pepperdine,

Bwahahaha (douchebag)



Posted by dimmer
02/19 07:30 PM

Leaders of student bodies can always be counted on for one thing: to know f'ck all about what the majority of the real students want.

Posted by Murdered Duchess
02/20 09:59 AM

As long as it has nothing to do w/ Juicy Couture, it's fine by me.

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